

Notice of Allowability	Application No.	Applicant(s)	
	10/624,291	DOUGLAS, BRIAN	
	Examiner	Art Unit	
	Stephen F. Gerrity	3721	

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the amendment filed 27 August 2004.

2. The allowed claim(s) is/are 1 and 3-17.

3. The drawings filed on 21 July 2003 are accepted by the Examiner.

4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some* c) None of the:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) hereto or 2) to Paper No./Mail Date _____.

(b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of
Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. <input type="checkbox"/> Notice of References Cited (PTO-892)	5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____.
3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____.	7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment
4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance
	9. <input type="checkbox"/> Other _____.

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. The application has been amended as follows:

In the specification:

Page 1, delete the subject matter between the headings TITLE and BACKGROUND OF THE INVENTION added by the amendment filed 27 August 2004 on page 9, and insert the following new heading and paragraph:

-- CROSS REFERENCE TO RELATED APPLICATION

This application is a division of U.S. patent application serial number 10/124,996, filed April 18, 2002, now U.S. patent number 6,701,695.--.

In the claims:

Claim 1, lines 26-29, delete in their entirety.

Claim 1, line 33, delete "and,".

Claim 1, between lines 33 and 34 insert the following:

-- spring means in cooperative functional relationship with said second lift station for raising said lower web of

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packaging film at said impulse sealer above the level of said lower web of packaging film at said sealing die; and--.

Claim 1, line 37, delete "bland" and insert --blank--.

Claim 11, line 26, delete "." and insert --,--.

Claim 11, line 34, delete "bland" and insert --blank--.

Claim 12, line 8, delete ";" and insert ----.

Explanation for Examiner's Amendment

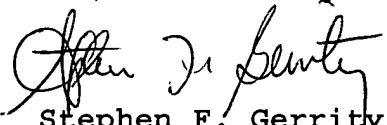
3. The specification has been amended to improve the form of the continuing data and to include the filing date of the parent application. Claims 1, 11 and 12 have been amended in order to make editorial corrections.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gerrity. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada, may be contacted. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 3700 receptionist.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Stephen F. Gerrity
Primary Examiner
Art Unit 3721

Examiner's Telephone Number: 703-308-1279

Examiner's Work Schedule: Monday-Friday from 5:30 - 2:00

Supervisor's Telephone Number: 703-308-2187

Facsimile Telephone Number: 703-872-9306

Receptionist Telephone Number: 703-308-1148

29 September 2004